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comprises, for the or each cutter assembly, a first portion inside the annular ring and a second portion outside the annular ring, the first portion of the peripheral surface being fixed to a body portion of the [shaver] shaving apparatus, and the guard being secured to a removable portion of the head assembly.

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REMARKS

The drawings are objected to for the reasons stated at Page 2 of the Office Action. Applicant will file new drawings that obviate the objections but respectfully requests that compliance with the requirement be held in abeyance until all claims of the application are allowed.

The present amendment proposes to amend the claims to more particularly define the invention, to obviate the basis for rejection under 35 U.S.C. 112, and to place the application in condition for allowance and in better condition for appeal.

It is noted with appreciation that claims 2, 3, and 5 have been indicated to be allowable if amended to overcome the rejections under 35 U.S.C. 112. The present amendment proposes to so amend these claims and it is submitted are now in condition for allowance.

Entry of the proposed amendment is respectfully requested as placing the application in condition for allowance or should the Examiner adhere to the final rejection, in better condition for

appeal. The amendment does not raise new issues or necessitate a new search. It was not earlier presented because the issues were not crystallized until the second action final rejection.

Claims 1 to 5 are in this case.

Claims 2, 3 and 5 stand rejected under 35 U.S.C. 112 for the reasons stated at pages 2 and 3 of the Office Action. Applicants have amended the claims after careful consideration of these reasons and submit that the grounds for rejection have been removed. Withdrawal of this ground of rejection is respectfully requested.

Claim 1 stands rejected under 35 U.S.C. 102 as anticipated by Uchiyama et al.

Claim 4 stands rejected under 35 U.S.C. 103 as unpatentable over Uchiyama et al in view of Zuurveen.

Reconsideration of the claims as amended and withdrawal of the rejection is respectfully requested.

Uchiyama et al is directed to bringing the hair into the slits more smoothly by providing slits in the external cutting member which are uneven in length corresponding to the number of shaving sections formed on the round shaving surface (col. 1, line 66 to col. 2, line 2). In the reference shaver, the cutting edge of the cutters of the internal cutting member has a wave shape so that it conforms with the cross-sectional configuration of partition grooves of the external cutting member. As described, as shown in

Fig. 2, external cutting member 12 has a fixed center cover 18. It is clear that this structure does not include a guard arranged in an annular ring and having a central opening within the annular ring wherein the peripheral surface of the head assembly comprises, for the or each cutter assembly, a first portion inside the opening of said annular ring and a second portion outside the annular ring, wherein the first portion is fixed to a body portion of the shaving apparatus. The annular ring of the reference does not have a central opening but instead has an internal depression. (See col. 4, lines 2 to 14). Also, the center cover 18 of the reference designated by the Examiner to be the first portion is not fixed to a body portion of the shaver.

The claimed structure herein gives advantages and advanced characteristics to a shaver so constructed that are not present in the shaver illustrated by Uchiyama et al. See the specification at page 4, line 22 et seq. and Fig.4. Uchiyama et al fails as an anticipation and does not render the invention obvious because it has no disclosure of the structure recited in the claims or of the advantages that are the result of such a structure. Zuurveen adds nothing to cure the deficiencies of the primary reference. The combination of Uchiyama et al with Zuurveen does not disclose or render obvious the claimed invention for the same reasons discussed above. It is submitted that the rejection is untenable and should be withdrawn.

It is submitted that this application is in condition for allowance. An early issuance is solicited.

Respectfully submitted,

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On *July 2, 1999*  
By *Ernestine C. Bartlett*